(96)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C)No. 4294 of 2007

PETITIONER Baba Vidyanath Aoghar Higher Secondary School Khisora (Balouda) District, Janjgir Champa, Through Its Principal Islam Mohammad Qureshi.

Versus

RESPONDENTS

1. State of Chhattisgarh, through Its Secretary Middle Education Division, Pension Bada, Raipur(CG)
2. Divisional Officer, C.G. Middle Education, Bilaspur (CG)
3. District Education Officer, Janjgir Champa(CG)

Appearance:

Shri S.K.Mishra, counsel for the petitioner.
Shri Yashwant Singh, Government Advocate for the State on advance copy.

ORAL ORDER
(25.07.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner, which is an educational institution, runs classes up to Higher Secondary and it was duly recognized by the C.G. Madhyamik Shiksha Mandal, Raipur vide recognition certificate Annexure P-7 and the period of last recognition was from 1.7.2006 to 30.6.2007. Learned counsel submits that thereafter, a show cause notice has been issued to the Institution vide Annexure P-14 on 26.12.2006, calling upon them to show cause on the points No.1 to 11, mentioned in the said notice. He submits that the reply of the said notice has already been filed, but the authorities are not taking any decision on the said reply.

The relief claimed in the petition perused.

The petitioner has mainly sought relief, commanding the respondents to grant recognition to the petitioner/School for the Academic Session 2007-2008.

In the facts and circumstances of the case, since the matter is pending at the stage of Show Cause before the said authority, it would not be just and proper for this Court to interfere in the matter at this stage.

It is not a case, where the petitioner has questioned the notice of Show Cause to be without jurisdiction etc. It has prayed for a direction regarding renewal of recognition even during the pendency of the matter before the C.G. Madhyamik Shiksha Mandal, Raipur.

The petition appears to be misconceived and pre-matured. It cannot be entertained at this stage, when the final decision has not been taken by the C.G. Madhyamik Shiksha Mandal, Raipur, as stated by learned counsel for the petitioner.

The petition is summarily dismissed, at this stage.

However, the petitioner shall be at liberty to repeat the prayer after final decision is taken by the concerned Board, if it would be advisable to them.

In view of the above, I.A.No.1 for grant of interim relief and I.A.No.2 for urgent hearing stand disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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